

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 3/13/2024

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MDM CONTRACTING, INC. DBA  
CENTEX CONSTRUCTION,

Plaintiff,

-against-

RLI INSURANCE COMPANY AND MT.  
HAWLEY INSURANCE COMPANY,

Defendants.

23 Civ. 4227 (AT)

**JOINT MOTION TO RETAIN**

**JURY DEMANDED**

**JOINT MOTION TO RETAIN**


Plaintiff MDM Contracting, Inc. DBA Centex Construction (“Plaintiff”) and Defendants RLI Insurance Company and Mt. Hawley Insurance Company (“Defendant”) (collectively, the “Parties”) file this Joint Motion to Retain (“Motion”) and respectfully request this Honorable Court retain this case on its docket for another thirty (30) days.

The Parties attended mediation on February 14, 2024, and reached a mutual settlement in principle. On February 15, 2024, the Parties announced their settlement to this Court. The Parties are still drafting the formal settlement documents, and therefore, pursuant to the Court’s Docket Order [Dkt. No. 34], the Parties request that the Court reopen the case and retain the case on the court’s docket for another thirty (30) days. If the settlement is consummated prior to the expiration of the requested 30 days, the Parties shall file a Joint Stipulation of Dismissal pursuant to the forthcoming settlement agreement.

DENIED. The parties request to reopen the action is denied. The Court shall, however, extend by thirty days the parties' deadline to reopen the case without prejudice, in the case that the settlement has still not been consummated.

SO ORDERED.

Dated: March 13, 2024  
New York, New York

  
\_\_\_\_\_  
ANALISA TORRES  
United States District Judge